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PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
: Examiner: P. Cuevas  
CHIKARA AOSHIMA )  
: Group Art Unit: 2834  
Application No.: 09/910,046 )  
: Filed: July 23, 2001 )  
: For: MOTOR AND OPTICAL )  
: APPARATUS USING THE )  
: SAME ) October 16, 2002

Commissioner For Patents  
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Official Action dated September 30, 2002, the Examiner is respectfully requested to enter and consider the following election and remarks.

REMARKS

In the Official Action dated September 30, 2002, the Examiner entered a Restriction Requirement. Specifically, the Examiner identified the following two groups of claims as reciting patentably distinct inventions:

<u>Group</u>	<u>Claims</u>
I.	1 to 19 and
II.	20 to 25.

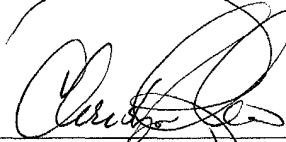
In response, Applicant provisionally elects with traverse to prosecute the subject matter of Group I (Claims 1 to 19) in the present application. Applicant reserves all rights to the subject matter recited in non-elected Claims 20 to 25.

Applicant respectfully traverses the Restriction Requirement. Without conceding the propriety of the Examiner's characterization of the claimed invention, Applicant believes that a thorough search of the relevant art for Group II will require substantial consideration of the art relevant to Group I. In this regard, Applicant notes that Group II recites subject matter particulars of Group I claims. Separate search and examination by separate Examiners may lead to duplicate work and inconsistent results. Accordingly, Applicant submits that it would be administratively and economically preferable to search and examine all of the claims together, and requests that the Restriction Requirement be withdrawn and that all pending claims be examined in the present application.

Applicant believes that the present paper is fully responsive to each of the points raised by the Examiner in the Official Action. Reconsideration and withdrawal of the restriction requirement, and consideration on the merits of all pending claims at the Examiner's earliest convenience earnestly are solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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